

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JERMONT COX	:	CIVIL ACTION
	:	
v.	:	
	:	
MARTIN HORN, et al.	:	NO. 00-5188

ORDER

AND NOW, this day of , 2003,

respondents' time for filing a response to petitioner's objections to the Magistrate's Report and Recommendation is extended to November 24, 2003.

BY THE COURT

ANITA B. BRODY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JERMONT COX	:	CIVIL ACTION
	:	
v.	:	
	:	
MARTIN HORN, et al.	:	NO. 00-5289

**RESPONDENTS' UNOPPOSED MOTION FOR ENLARGEMENT
OF TIME
TO RESPOND TO PETITIONER'S OBJECTIONS TO THE MAGISTRATE'S
REPORT AND RECOMMENDATION**

LYNNE ABRAHAM, District Attorney of Philadelphia County,
by HELEN KANE, Assistant District Attorney, and THOMAS W. DOLGENOS, Chief,
Federal Litigation, respectfully requests a 25-day enlargement of time in which to
respond to the reply memoranda in the instant case and, in support thereof, states:

1. On July 24, 2003, the Honorable Jacob Hart issued a Report and Recommendation that the instant petition for writ of habeas corpus be denied. This Court granted petitioner an extension of time to file objections to the Magistrate's Report and on October 16, 2003, the Commonwealth was served with a copy of petitioner's objections. On October 21, 2003, the Commonwealth was served with a notice of filing an exhibit in support of petitioner's objections.

2. The rules allow ten days (excluding weekends and holidays) for filing a response to objections to a Magistrate's Report and Recommendation. Accordingly, the Commonwealth's response is due on October 30, 2003. F.R.Civ.Pro. 6(a); 72(b);

3. Because of prior assignments with earlier due dates, the assigned attorney is unable to complete the Commonwealth's response to petitioner's objections by the due date. In order to allow sufficient time to complete these prior assignments and to

prepare the Commonwealth's response, respondents are requesting an additional 25 days, until November 25, 2003, in which to respond to petitioner's objections.

4. Victor J. Abreu, Esquire, counsel for petitioner, does not oppose this request.

WHEREFORE, respondents request an additional 25 days - to November 24, 2003 - in which to file their response to petitioner's objections to the Magistrate's Report and Recommendation.

Respectfully submitted,

HELEN KANE
Assistant District Attorney
THOMAS W. DOLGENOS
Chief, Federal Litigation

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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CERTIFICATE OF SERVICE

I, HELEN KANE, hereby certify that on October , 2003, a copy of the foregoing pleading was served by placing the same, first class, postage pre-paid, in the

United States Mail, addressed to :

Victor J. Abreu, Esquire
Capital Habeas Corpus Unit
Federal Court Division
Defender Association of Philadelphia
437 Chestnut Street
Philadelphia PA 19106

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